

In re Application of: CLARKE, D. G. *et al.*  
Application No. 10/779,508  
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### REMARKS

Claims 9-11 are rejected. Claim 9 has been amended. No new matter has been added by virtue of this amendment and its entry is respectfully requested.

#### *Claim Rejections Under 35 U.S.C. § 112*

Claims 9-11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response, Applicants have amended claim 9 to indicate the first and second chemical entities. Support can be found in paragraph [0011] of the instant application. No new matter is added by virtue of this amendment and its entry is respectfully requested. As such all claims are allowable.

In view thereof, applicants respectfully request reconsideration and withdrawal of the instant rejection.

### CONCLUSION

Applicants respectfully request entry of the foregoing remarks and reconsideration and withdrawal of all rejections. It is respectfully submitted that this application with claims 9-11 define patentable subject matter and is in condition for allowance. Accordingly, Applicants respectfully requests allowance of these claims and entry of these amendments.

This response is being timely filed within the shortened statutory period for reply and no fee is believed to be required by submission of these papers. If there are any remaining issues or the Examiner believes that a telephone conversation with the Applicants' attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned at telephone number shown below.

{WP299591;1}


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This response is being filed with a one month retroactive extension of time and the required fee. Although, Applicants believe that no further extensions of time beyond the one month are required with submission of this paper, Applicants request that this submission also be considered as a petition for any further extensions of time if necessary. The Commissioner for Patents and Trademarks is hereby authorized to charge the amount due for any retroactive extensions of time and any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees paid on the filing or during prosecution of this application to Deposit Account No. 50-0951.

Respectfully submitted,

AKERMANN SENTERFITT

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